



# COUNTY OF EL DORADO, CALIFORNIA

## BOARD OF SUPERVISORS POLICY

Subject: <b>FEE WAIVING</b>	Policy Number: <b>B-2</b>	Page Number: <b>1 of 3</b>
	Originally Adopted: <b>11/08/1988</b>	Last Revised Date: <b>06/19/2023</b>

### I. PURPOSE

The purpose of this policy is to establish policies and procedures for requesting waivers of County fees, permit charges, and other administrative costs for public benefit projects.

For the purpose of this policy, a Public Benefit Project refers to a project, program, or activity initiated, sponsored, or approved by the county government that provides a clear and measurable benefit to the public at large, rather than serving only private or limited interests.

- A. Establish policies and procedures regarding consideration of requests for waiver of County fees, permit charges, and other administrative costs for public benefit projects.
- B. Give special consideration for emergency projects by public agencies, and for life threatening and/or fire safety needs being addressed for the public at large.
- C. Authorize the Chief Administrative Officer to waive fees according to established procedure and report said waivers to the Board of Supervisors.

### II. POLICY

- A. Except as otherwise provided by ordinance, County departments and offices shall charge all public agencies and non-profit organizations the same filing fees and other costs as those charged to private citizens, where those fees are levied to offset the County's costs to provide related services.
- B. Fees may be waived for building permits, encroachment permits, variances, zone reclassifications, administrative permits, use permits, or other County permits
- B. only if the Chief Administrative Officer is authorized to approve fee waivers, provided that one or more of the following affirmative findings are made: makes any one of the affirmative findings as specified below:
- C. A facility or project proposed by a local public or private agency, non-profit corporation, or special district that will provide a substantial public benefit  
The proposed project will be available for use by the public at large and is likely that the project will be used or will benefit more than the residents of the immediate vicinity
  - 1. A facility or project proposed by a local public or private agency, non-profit corporation, or special district that will provide a substantial public benefit.
  - 1. The levying of the fee in question would result in extreme financial hardship to the requesting entity;



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2. The applicant has been delayed due to actions taken by the County;
3. ~~A facility or project proposed by a non-profit corporation or special district will provide a substantial public benefit;~~
4. ~~There is no actual cost to the County for the expense in question. For example, if the Building Department is required to inspect a structure, the fee related to providing this service will be levied. However, if inspection is not required, the fee may be waived;~~
5. ~~The project is being carried out by a local public agency and is an emergency project;~~



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6. ~~The project is being carried out by a private agency primarily to address unresolved life threatening and/or fire safety issues for the public;~~

7.3. ~~The project has been damaged or destroyed by an act or event that has been declared a disaster by the Board of Supervisors, or a theft or crime where insurance is inadequate to pay the applicable fees.~~

**D. The following fees are not eligible to be waived:**

1. ~~Appeal fee for a decision of the approving authority.~~
2. ~~Code violation caseEnforcement Investigation fees.~~
3. ~~A fee for appeal of a decision of the approving authority may not be waived. Special District, School, State Mandated Fees, Technology Fees, General Plan Implementation fees, Time and Material Agreements, and Traffic Impact Fees.~~
- 8.4. ~~Annual operating permit or license fees.~~

### **III. PROCEDURE**

A. ~~Fee waivers are a direct expense to the County's General Fund. Fees are established to cover the cost of services provided by County departments. Fee waiver requests will be monitored throughout the year and can be denied based on budgetary conditions.~~

A. ~~Fee waivers will be monitored per fiscal year and reviewed along with County operations, staffing and revenue status. The County relies on fees, permit charges, and other administrative charges for cost recovery. Consideration is given to the impacts of pro bono work to ensure no delay is caused in meeting internal goals for timely plan review/inspections.~~

B. ~~An applicant requesting a fee waiver must complete the Fee Waiver Request form and include all required documentation to prove how the project meets the justification criteria, including, if applicable, a copy of the 501(c) registration paperwork.~~

B. ~~An applicant applying for a fee waiver shall present a request in writing to the Department Head of the department that charges the fee in question. The request shall contain a description of the project in question along with documentation necessary to establish eligibility for a deferral or waiver.~~

C. ~~An applicant applying for a fee waiver based upon non-profit status shall submit the necessary documentation to verify such status.~~



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D. An applicant for a fee waiver based upon financial hardship/low-income will be required to certify gross annual income and household size. The department that charges the fee in question will use the annual Department of Housing and Urban Development (HUD) area Median Family Income table to determine eligibility. Current low income eligibility is set at 80% area Median Family Income (OR persons age 62 or over on a fixed, very low income as defined by HUD).

E.C. A maximum amount of up to \$54,000 may be waived for each requestor per project per fiscal year (July 1 through June 30), ~~unless approved by the Board of Supervisors.~~

D. The head of the department that charges the requested fees for the waiver in question shall review the request, determine eligibility, and provide a written recommendation ~~make recommendations in writing~~ to the Department Head ~~processing the waiver~~Chief Administrative Officer. Determinations shall be made in accordance with all applicable laws, regulations, and policies.

E. The Chief Administrative Officer will approve or disapprove the request for fee waiver in accordance with provisions set forth in this policy.

F. The Chief Administrative Officer shall have the discretion and authority to waive all or a portion of the fees for projects that meet these criteria up to \$5,000.

G. The Chief Administrative Officer will report all fee waiver requests (denied and approved) to the Board of Supervisors annually.

F. The Department Head will review the request and present it to the Chief Administrative



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~~Officer. For requests within the Chief Administrative Officer's delegated authority limits, The Chief Administrative Officer will approve or disapprove the request for fee waiver in accordance with provisions set forth in this policy and report said waivers to the Board of Supervisors. For requests in excess of the Chief Administrative Officer's delegated authority limits, the Chief Administrative Officer shall present the request to the Board of Supervisors for action.~~

~~The Chief Administrative Officer shall have the discretion and authority to waive all or a portion of the fees for projects that meet these criteria up to \$1,000. Fee waivers over~~

~~G. \$1,000 shall require the approval of the Board of Supervisors.~~

~~If a previous waiver was granted for the same project, no additional waiver will be granted, unless approved by the Board of Supervisors.~~

~~H. The approved fee waiver shall remain valid for a period of one (1) year from the date of issuance. If the related permit has not been obtained within that timeframe, the applicant will be responsible for paying any fee difference resulting from increases adopted after the waiver approval.~~

~~I.H. This policy does not apply to annual operating permits or licenses. Fee waivers will not be granted to individuals or businesses responsible for the payment of an annual permit to operate or license unless approved by the Board of Supervisors.~~

~~Fee waivers shall not be granted for projects that require a Time and Materials agreement, unless approved by the Board of Supervisors.~~

### IV. RESPONSIBLE DEPARTMENT:

Chief Administrative Office  
El Dorado County Department Responsible for the Fee (as delineated by Fee Resolutions)

### V. DATES (ADOPTED, REVISED, NEXT REVIEW):

Originally Adopted:	11/08/1988		
Last Revision :	<u>06/19/2023</u> <u>01/27/2026</u>	Next Review:	<u>06/19/2027</u> <u>01/27/2030</u>